## REMARKS

Claims 1-20 are pending. In the office action mailed July 18, 2008, the claims were finally rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. patent number 5,966,714 to Huang et al. in view of U.S. patent number 7,035,878 to Multer, et al. The Examiner stated on page 12 of the office action that the arguments filed by the Applicant on October 12, 2007 were considered but were not persuasive.

There are limitations in the pending claims, which the cited references do not show or suggest and which the Examiner completely ignored in his remarks. The final rejection was therefore improper and must therefore be withdrawn.

As was stated in the Applicant's last response, the pending claims recite that there are a ***plurality*** i.e., multiple, databases at both the network and the mobile node and that the databases at the network and mobile are different from each other. The claims also recite that when one of the different databases at either the network or the mobile node is changed, the *other* copy is synchronized during an ensuing synchronization session by way of a change list.

As was also stated in the Applicant's last response, no reference or combination of references shows or suggests a methodology whereby *multiple disparate databases* are kept at both a network and in a mobile node and kept synchronized to each other by a single change listing-history of all changes made between synchronization sessions. The single change listing recited in the amended claims precludes redundant changes being made to any one of the disparate databases during a synchronization session.

Conspicuously absent from the office action is *any* mention of the prior art teaching that a plurality of disparate databases can be synchronized using a change list, as the amended claims clearly require. MPEP §706.02(j) discusses what an examiner must do to reject a claim as being obvious and states in pertinent part that:

> "To support [a] conclusion that ***the claimed invention*** is directed to obvious subject matter, either the references must expressly or impliedly suggest ***the claimed invention*** or the examiner must present a convincing line of reasoning as to why the artisan would have found ***the claimed invention*** to have been obvious in light of the teachings of the references…." (Emphasis added.)

The pending claim limitations recite the use and synchronization of multiple, different databases in both the mobile device and the network. The claimed invention referred to in MPEP §706.02(j) thus includes the use and synchronization of multiple different databases.

The office action does not identify *where* the claimed invention can be found in the references and the Examiner has not presented *any* reason as to why an artisan would have found the claimed invention to have been obvious in view of Huang and Multer. The rejection is therefore defective under the Patent Office's own guidelines set forth in the MPEP. More importantly, the rejection is defective under controlling Federal Circuit case law from which those guidelines were created.

If the Examiner maintains the rejection in his response to this paper, the Applicant asks the Examiner to identify by column and line number precisely where either Multer or Huang disclose each and every limitation of the pending claims. If the Examiner cannot cite by column and line number where each and every limitation can be found, the Applicant asks the Examiner to set forth in his response, the MPEP-required "convincing line of reasoning" as to why the artisan would have found the claimed invention, i.e., which includes the synchronization of multiple different databases using a change list, to have been obvious in light of the teachings of

the references. If the Examiner cannot find where each and every limitation is disclosed in the references or present a convincing line of reasoning, the rejection should be withdrawn.

Reexamination and reconsideration for allowance of the claims is therefore respectfully requested. Such early action is earnestly solicited.

Respectfully Submitted

/ Robert H. Kelly/

Robert H. Kelly
Registration No. 33,922

KELLY & KRAUSE, L.P.
6600 LBJ Freeway, Suite 275
Dallas, Texas 75240
Telephone: (214) 446-6684
Fax: (214) 446-6692
robert.kelly@kelly-krause.com